

TITLE V - BUILDING AND PROPERTY REGULATIONS
MISCELLANEOUS

CHAPTER 141
INOPERABLE VEHICLES AND JUNK

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141.01 DEFINITIONS. For use in this chapter, the following terms are defined:

1. "Inoperable/Obsolete Vehicle" means any device in, upon or by which a person or property is or may be transported or drawn upon a highway or street, excepting devices moved by human power or used exclusively upon stationary rails or tracks, and shall include, but not limited to, motor vehicle, automobile, truck, trailer, motorcycle, tractor, buggy, wagon or any combination thereof, and not licensed for the current year as required by law and/or which exhibits any one of the following characteristics:

A. Any vehicle or part of a vehicle with a broken windshield or any other broken glass.

B. Any vehicle or part of a vehicle with a broken, loose or missing fender, door, bumper, hood, wheel, steering wheel, trunk top or tailpipe.

C. Any vehicle lacking an engine or two (2) or more wheels or other structural part which renders the vehicle totally inoperable.

D. Any vehicle or part of a vehicle which is a habitat for rats, mice or snakes or any other vermin or insects.

E. Any vehicle or part of a vehicle which, because of its defective or obsolete condition, constitutes a threat to the public health and safety.

F. Any vehicle that is not capable of moving in both forward and reverse gears.

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Mere licensing of such vehicle shall not constitute a defense to the finding that the vehicle is an inoperable/obsolete vehicle.

2. "Junk or Salvage Materials" means any discarded or salvaged building material or fixture; any obsolete or inoperable machinery and/or equipment or parts thereof; scrap iron or steel. Neatly stacked firewood located on a side yard or a rear yard shall not be considered junk or salvage material.

141.02 PUBLIC NUISANCE DEFINED, ENUMERATED. The following shall be deemed a public nuisance within the meaning of Section 657.1 of the Code of Iowa. Public nuisances shall include, but not be limited to, the following:

1. Accumulation of Junk or Salvage Materials. Causing or allowing any junk or salvage materials to be collected or to remain on any private property within the City.

2. Inoperable/Obsolete Vehicle. The storing, parking, leaving or permitting the storage, parking or leaving of an inoperable/obsolete vehicle upon private property within the City for a period in excess of forty-eight (48) hours unless excepted herein.

141.03 PUBLIC NUISANCES PROHIBITED. The creation or maintenance of a public nuisance is unlawful and prohibited. This section does not apply to legitimate businesses operating in a lawful place and manner. If a violation of this section occurs upon private property, the owner or person in control of said property shall be prima facie liable for said violation.

141.04 EXCEPTIONS. The provisions of this chapter do not apply to:

1. Any vehicle enclosed within a building on private property.

2. Any vehicle used for racing at a sanctioned facility and used on a regular basis during the season. A "regular basis" is at least once per month. Such vehicle must conform with the following requirements:

A. On a licensed trailer and covered (adequate to cover vehicle and non-transparent), and

B. Stored in the rear yard in a residential district.

141.05 NOTICE TO ABATE. Upon discovery of any inoperable vehicle or junk upon private property within the City in violation of Section 141.03, the City shall within five (5) days initiate abatement procedures as outlined in Chapter 55.

(Code of Iowa, Sec. 364.12[3a])

141.06 DISPOSAL OF INOPERABLE VEHICLES. Inoperable/obsolete vehicles which have been impounded may be sold in accordance with Chapter 140.

141.07 INTERFERENCE WITH ENFORCEMENT. Any person who shall interfere in any way with the enforcement provisions of this chapter shall be deemed guilty of a simple misdemeanor and punished accordingly.

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